

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

GERALD DAVIS JR.,
*Individually and on Behalf
of All Others Similarly Situated,*

Plaintiff,

v.

Case No. 1:20-cv-00966 KG/JHR

STEWARD ENERGY II, LLC,

Defendant.

ORDER GRANTING
JOINT MOTION TO STAY LITIGATION AND TOLL CLAIMS

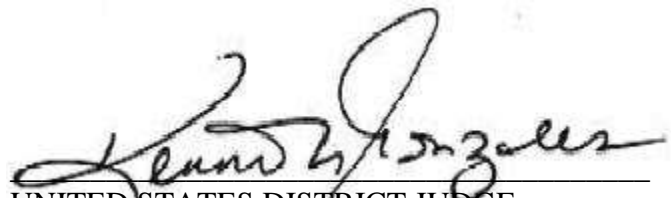
THIS MATTER, having come before the Court on the parties' Joint Motion to Stay Litigation and Toll Claims, finds that the Motion is well taken and shall be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that this litigation shall be stayed and the claims tolled pending settlement discussions as further set out below:

1. The litigation shall be stayed from June 30, 2021, to September 1, 2021.
2. The statute of limitations applicable to the Fair Labor Standards Act and the New Mexico Minimum Wage Act shall be tolled with respect to all claims asserted by Plaintiff and potential opt-in plaintiffs and/or potential class members from June 30, 2021, to September 1, 2021.
3. Prior to, or at the conclusion of the stay of the litigation, the parties must notify the Court as to the state of the litigation and propose a schedule as to how the matter should proceed, including a deadline for the defendants to answer Plaintiff's Complaint.

4. During the period in which the case is stayed, if any party were to conclude the settlement negotiations were no longer productive, the party would be permitted to move the Court to lift the stay and request a scheduling conference.
5. During the period in which the case is stayed, if the parties believe additional time will facilitate settlement, then the parties would be permitted to jointly move for an extension of the stay.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE